



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

TORY BURCH LLC; RIVER LIGHT V, L.P.

Plaintiffs

v.

YONG SHENG INTERNATIONAL TRADE CO., LTD;
CONGDADA PENA; BINGFENG QUI; LI YAXIACHAI;
LI BIN; LINJIANPING; JACK WILSON; JIANGUO
CHEN; TORYBURCH-MALL.COM; ZHUZIXIAN; BILL
FISHER; ANTLEO LIN; JQ LIN; WU JUNYU; MILLION
MAN d/b/a TORYBURCHOUTLETSHP.COM; VECTO
S. d/b/a TORYBURCHSALE.NET; LIDAYONG; ZHAN
JIAQUIN; JIAXINTONG IMPORT & EXPORT CO. LTD
d/b/a SPORTS SDFSS; KEYWHOLESALE.COM INC;
YUCANG LI; FREESHIPPINGHANDBAG.COM; RUAN
FA; NINE NINE TRADE; DONGWEI;
LOUBOUTINTIME.COM; DYLAN d/b/a
JIMMYBOOTS.COM; ONESTOP-
ONLINESHOPPING.COM; ZHONGTIAN; RAO
YUZHAO d/b/a TOPSHOESTOBAGS TRADE CO. LTD.;
COLO CHONG d/b/a UGGLLOUBOUTIN CO, LTD; YE
JUNJIE d/b/a GUIHE TRADING CO. LTD; XINLI CHEN
d/b/a GUANGZHOU FASHIONPURSUE TRADE CO.
LTD.; WU DONG d/b/a SPORTS SERIES TRADE CO.
LTD; WHOLESALEUSLIVE.COM; JESSKI2010; CHINA
SUNSHINE INTERNATIONAL TRADING CO. LTD.
d/b/a NAME-BRAND-ONLINE.COM; YANG QIAO d/b/a
FASHION866 TRADE CO., LTD.; CHEN JIONGYANG
d/b/a FASHIONHOLIC CO. LTD.; XIAO XIANMO d/b/a
XIAMEN SHINSON TRADING CO., LTD.; RIHONG LIN
d/b/a JACK SMITHS; XYZ COMPANIES; and JOHN and
JANE DOES

Defendants.

Civil Action No. 10 Civ. 9336
(DAB)

**[PROPOSED] FIFTH SUPPLEMENTAL ORDER TO DISABLE AND TRANSFER
DEFENDANTS' NEWLY-DETECTED WEB SITES**

This action having been commenced by TORY BURCH LLC and RIVER LIGHT V, L.P. (collectively, “Tory Burch” or “Plaintiffs”) against Defendants YONG SHENG INTERNATIONAL TRADE CO., LTD; CONGDADA PENA; BINGFENG QUI; LI YAXIACHAI; LI BIN; LINJIANPING; JACK WILSON; JIANGUO CHEN; TORYBURCH-MALL.COM; ZHUZIXIAN; BILL FISHER; ANTLEO LIN; JQ LIN; WU JUNYU; MILLION MAN d/b/a TORYBURCHOUTLETSHP.COM; VECTO S. d/b/a TORYBURCHSALE.NET; LIDAYONG; ZHAN JIAQUIN; JIAXINTONG IMPORT & EXPORT CO. LTD d/b/a SPORTS SDFSS; KEYWHOLESALE.COM INC; YUCANG LI; FREESHIPPINGHANDBAG.COM; RUAN FA; NINE NINE TRADE; DONGWEI; LOUBOUTINTIME.COM; DYLAN d/b/a JIMMYBOOTS.COM; ONESTOP-ONLINESHOPPING.COM; ZHONGTIAN; RAO YUZHAO d/b/a TOPSHOESTOBAGS TRADE CO. LTD.; COLO CHONG d/b/a UGGLOUBOUTIN CO, LTD; YE JUNJIE d/b/a GUIHE TRADING CO. LTD; XINLI CHEN d/b/a GUANGZHOU FASHIONPURSUE TRADE CO. LTD.; WU DONG d/b/a SPORTS SERIES TRADE CO. LTD; WHOLESALEUSLIVE.COM; JESSKI2010; CHINA SUNSHINE INTERNATIONAL TRADING CO. LTD. d/b/a NAME-BRAND-ONLINE.COM; YANG QIAO d/b/a FASHION866 TRADE CO., LTD.; CHEN JIONGYANG d/b/a FASHIONHOLIC CO. LTD.; XIAO XIANMO d/b/a XIAMEN SHINSON TRADING CO., LTD.; RIHONG LIN d/b/a JACK SMITHS; XYZ COMPANIES; and JOHN and JANE DOES (collectively, “Defendants”) for trademark infringement, trademark counterfeiting and cybersquatting pursuant to Federal Rule of Civil Procedure 65 and the Trademark Act of 1946, 15 U.S.C. §§ 1051, *et seq.*, for the reason that Defendants were distributing, offering for sale and selling, via the Internet on certain “rogue” web sites (“Defendants’ Infringing Web Sites”), including web sites located at domain names containing Tory Burch’s trademarks (“Infringing Domain Names”), goods bearing counterfeit reproductions of Tory Burch’s federally registered trademarks, as listed in Tory Burch’s Complaint and incorporated herein by reference (collectively, the “TORY

BURCH Marks”), which marks are used in connection with genuine Tory Burch footwear, handbags, accessories, apparel and other goods (collectively, the “Tory Burch Products”); and

This Court having entered, upon a showing by Tory Burch, a Temporary Restraining Order, Seizure Order, Asset Restraining Order, Domain Name Transfer Order, Order to Show Cause for a Preliminary Injunction, on December 17, 2010, an Order of Preliminary Injunction on January 4, 2011 and a Default Judgment and Permanent Injunction Order (“Default Judgment and Permanent Injunction”) on May 13, 2011; and

This Court having found in the Default Judgment and Permanent Injunction that Defendants are liable for federal trademark counterfeiting and infringement under 15 U.S.C. § 1114 and cybersquatting under 15 U.S.C. § 1125(d)(1) and having ordered that Defendants are permanently enjoined and restrained from, *inter alia*, the following:

- (i) using the TORY BURCH Marks or any reproduction, counterfeit, copy or colorable imitation of the TORY BURCH Marks in connection with the distribution, advertising, offer for sale and/or sale of merchandise not the genuine products of Tory Burch; and
- (ii) utilizing the Infringing Domain Names and registering any additional domain names that use or incorporate any of the TORY BURCH Marks; and
- (iii) operating and/or hosting Defendants’ Infringing Web Sites; and

This Court having entered, upon a showing by Tory Burch, a Supplemental Order to Disable and Transfer Defendants’ Newly-Detected Web Sites on December 14, 2011; a Second Supplemental Order to Disable and Transfer Defendants’ Newly-Detected Web Sites on January 25, 2012; a Third Supplemental Order to Disable and Transfer Defendants’ Newly-Detected Web Sites on April 11, 2012; and a Fourth Supplemental Order to Disable and Transfer Defendants’ Newly-Detected Web Sites on June 20, 2012; and

Tory Burch having moved for a Fifth Supplemental Order to Disable and Transfer Defendants' Newly-Detected Web Sites ("Fifth Supplemental Order") and having shown the following:

1. Defendants have disregarded the Default Judgment and Permanent Injunction by continuing to sell Counterfeit Products at newly-discovered Defendants' Infringing Web Sites ("Newly-Detected Web Sites"), including those listed in **Exhibit 1** attached hereto; and

2. Defendants have continued, in bad faith, to register additional Infringing Domain Names that use and incorporate the TORY BURCH Marks at which they have located many of the Newly-Detected Web Sites; and

3. Tory Burch will continue to suffer irreparable harm without the entry of this Fifth Supplemental Order.

THEREFORE, IT IS HEREBY ORDERED that:

1. Defendants' Newly-Detected Web Sites listed in **Exhibit 1** to this Fifth Supplemental Order are hereby recognized to be "Newly-Detected Web Sites" as defined in the Default Judgment and Permanent Injunction; and

2. All provisions of this Court's Default Judgment and Permanent Injunction shall apply to Defendants' Newly-Detected Web Sites listed in **Exhibit 1** to this Fifth Supplemental Order, including, but not limited to, the following provisions:

IT IS FURTHER ORDERED that in accordance with this Court's inherent equitable powers and its power to coerce compliance with its lawful orders, and due to Defendants' on-going operation of their counterfeiting activities, in the event Tory Burch identifies any new web sites ("Newly-Detected Web Sites") registered or operated by any Defendant and used in conjunction with the sale of Counterfeit Products, including such web sites utilizing domain names containing the TORY BURCH Marks or marks confusingly similar thereto, Tory Burch shall have the ongoing authority to serve this Permanent Injunction on the domain name registries and/or the individual registrars holding and/or listing one or more the domain names associated with the Newly-Detected Web Sites; and

IT IS FURTHER ORDERED that the domain name registries and/or the individual registrars holding and/or listing one or more of the domain names associated with the Newly-Detected Web Sites, within seven (7) days shall temporarily disable any domain names associated with the Newly-Detected Web Sites and make them inactive and untransferable; and

IT IS FURTHER ORDERED that after thirty (30) business days following the service of this Permanent Injunction, the registries and/or the individual registrars shall transfer any domain names associated with the Newly-Detected Web Sites to the ownership and control of Tory Burch, through the registrar of Tory Burch's choosing, unless the Defendant has filed with the Court and served upon Tory Burch's counsel a request that such Newly-Detected Web Sites be exempted from this Permanent Injunction or unless Tory Burch requests that such domain names associated with the Newly-Detected Web Sites be released rather than transferred; and

IT IS FURTHER ORDERED, that any Defendant may upon two (2) business days' written notice to the Court and Tory Burch's counsel, upon proper showing, appear and move for the dissolution or modification of the provisions of this Permanent Injunction concerning the restriction upon transfer of such domain names associated with the Newly-Detected Web Sites belonging to or controlled by any Defendant; and

(Default Judgment and Permanent Injunction at pages 7-8.)

AND IT IS FURTHER ORDERED that, except as modified herein, all provisions of the Default Judgment and Permanent Injunction issued by this Court on May 13, 2011 shall remain in full force and effect; and

IT IS FURTHER ORDERED that this Court shall retain jurisdiction over the parties and the subject matter of this litigation for the purpose of interpretation and enforcement of this Fifth Supplemental Order.

SO ORDERED:

Signed this 9th day of August 2012.



THE HONORABLE DEBORAH A. BATTS

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EXHIBIT 1

New Infringing Website
zhsoo.com
zeal-replica.com
yslstoreoutlet.com
ysl-shoes.info
womenshosesoutletonline.com
womenshandbagsshop.com
win-wintrade.net
wholesaleous.com
wholesalestart.com
wholesaleshops.org
wholesale-purses-bags.com
wholesale-e.com
wholesalecute.net
wholesalechine.com
wholesalechinastore.com
wholesalechinamarket.com
wholesalechinahandbags.com
wholesalecheap.net
wholesaleblue.com
wholesale07.com
vogueplazas.com
ustoryburchsale.org
us-toryburch.org
ustoryburch.org
usclknockoffs.com
usatoryburchoutletshop.com
usaoutletoryburch.com
us.toryburchoutletxx.com
us.toryburchoutletk.net
unionkicks.com
trianglekey.com
torysburchsoutlets.com
toryoutletus.com
tory-burch-wedges.info
toryburchwalletsale.org
toryburchusasale.com
toryburchusales.com
toryburch-us.org
tory-burch-us.info
toryburchukstore.com
toryburchukoutlet.com

toryburchuk.org
toryburchtotessale.us
toryburchtotes.net
toryburchsuppliers.com
toryburch-sunglasses.org
toryburchsummersale.com
toryburchstoreoutletonline.com
toryburchs-salesoutlet.com
toryburchs-saleoutlet.com
toryburchssaleinoutlet.net
toryburchssaleloutlets.com
toryburchsrsale.com
toryburchsoutletdiscountsale.com
toryburchsoutletdiscountonline.com
toryburchsinshoesoutlets.com
toryburchshopss.com
tory-burch-shop.net
toryburchshoes-salev.com
toryburchshoessalesoutlet.com
toryburchshoes-sales.org
toryburch-shoes-salei.com
toryburchshoessale2012.com
toryburch-shoessale.org
toryburch-shoesoutlets.org
toryburchshoesoutletmall.com
toryburchshoesonlinestore.net
toryburchshoesonlines.com
toryburchshoesnordstrom.com
toryburchshoesmall.com
tory-burchshoesi.com
toryburchshoeshotsale.com
toryburchshoeses-outlets.com
tory-burchshoesdiscount.com
toryburchshoesclearance.info
toryburchshoesatoutlets.com
toryburchshoes-2012.com
toryburchshoes.biz
toryburchs-eshop.com
toryburchseshop.com
toryburchsandalssales.com
toryburchsandalsoutlet.com
tory-burchsandals.info

toryburchsandalmall.us
toryburchsamplesale2012.info
toryburchsale-us.org
toryburchsaleus.org
toryburch-sales.org
toryburchsaleoutlet.com
toryburchsaleflats.net
toryburchsaleatoutlet.com
toryburchsale2outlet.us
toryburchsale.info
toryburchs2012sale.com
toryburchs2012outletsale.com
toryburchs2012mall.com
toryburchrevasale.org
toryburchrevaflats.info
toryburchreplicashoes.org
toryburchreplica.org
toryburchrave.com
toryburchrainbootssale.com
toryburchpursesale.org
toryburchp.com
toryburchoutletxx.com
toryburchoutletstorex.com
toryburchoutletstores.us
toryburch-outletstores.org
toryburchoutletstore-online.com
toryburchoutletshoesus.com
toryburchoutlets-handbag.org
toryburchoutletsclearances.com
toryburch-outletsclearance.com
toryburchoutlets-cheap.net
toryburchoutletsalex.com
toryburchoutletsaleclearance.com
toryburchoutletsalecheap.com
toryburchoutletsale.us
toryburchoutlets4cheap.com
toryburchoutlets.us
toryburchoutlet-onlines.us
toryburchoutletonlines.net
toryburch-outlet-online.us
toryburch-outletonline.org
toryburchoutlet-online.com

toryburchoutletnyc.net
toryburchoutletny.org
toryburchoutletk.net
toryburchoutlet-jp.net
toryburchoutletjp.com
toryburchoutleti.org
toryburchoutlethandbags.net
toryburchoutleteshops.com
toryburchoutletes-handbag.org
toryburchoutletes.biz
toryburchoutletdiscountshoes.com
toryburch-outletdiscount.com
toryburchoutletclearance.org
toryburchoutlet-cheapx.org
toryburchoutletcheaponline.com
toryburchoutletcanada.org
toryburchoutletau.com
toryburch-outlet.biz
tory-burch-on-sales.com
toryburch-onlinestore.com
toryburchonlineshops.com
toryburchonlineoutlets.net
toryburchokbuyss.com
toryburchokbuys360.com
toryburchofficialwebsite.org
toryburcho.com
toryburchnyc.org
toryburchnordstrom.org
toryburch-navi.com
toryburchmo.com
toryburchmall.biz
toryburchlondon.org
toryburchiphonecases.com
toryburchiphonecase.org
toryburchinuk.com
toryburchinjapan.com
toryburchhome.net
toryburchhandbagssale.com
toryburchhandbagsoutlet.org
toryburchhandbagsoulet2.com
toryburchhandbagsonsale.org
toryburchgsale.org

toryburchflipflopsonsale.org
toryburchflipflop.us
toryburchflatstoryburchflats.com
toryburchflatssaleclearance.com
toryburchflatsoutletsales.com
toryburchflats-outlet.org
toryburchflatsonsales.com
toryburchflatsonlinesales.com
toryburchflatsonlinesale.com
toryburchflatshoes.org
toryburchflats2canada.com
toryburchflats.biz
toryburchflat.org
toryburch-eshops.com
toryburch-eshop.com
toryburcheshoesoutlets.com
toryburcheshoesoutlet.com
toryburchesalesoutlet.com
toryburchesaleoutlet.com
toryburchdo.com
toryburchclub.biz
toryburchbigsale.com
toryburchbagsoutlets.org
toryburchbagskutu.com
toryburchbagsales.com
toryburchbagsale.net
toryburchbagoutlets.com
toryburchbagoutlete.org
toryburchbag.org
toryburchatshoesoutlets.net
toryburchatshoesoutlet.net
toryburchashoesoutlets.net
toryburchashoesoutlets.com
toryburchasalesoutlets.com
toryburchasalesoutlet.com
toryburchasaleoutlets.com
toryburchasaleoutlet.com
toryburchall.com
toryburch4shoessale.com
toryburch360s.com
toryburch2012sales.com
toryburch2012outletsale.com

toryburch2012mall.com
toryburch-2012flats.com
toryburch2012flats.com
toryburch2012eshop.com
tory-burch-2011.info
toryburch1saleoutlets.com
toryburch0saleoutlets.com
torybuchoutletshoes.com
tory4less.com
toptoryburchsoutletsale.com
toptoryburchsoutlet.com
toptoryburchoutlet.us
toptoryburchoutlet.net
toptoryburcheshops.com
topsaleusa.com
topflatsshoes2u.com
topareplica.com
thetoryburchsale.net
tboutletonlines.com
supermarket-outlet.com
storetoryburchsoutlet.com
statejerseys.com
sohandbags2u.com
sjacket.com
sisbag.com
shoptoryburchjp.com
shoppingyourbags.com
shoppingguccibags.com
shoesforladies2012.com
shoes4womens.com
sell-christianlouboutin.net
salehandbagscheap.com
salecoachdesigner.com
sale-cheaphandbags.com
royolltd.com
replica-toryburch.org
replicahandbagsfake.org
redbottomheels.com
pursesandbagsforcheap.com
pursebagshop.com
pradaauthentic.com
popdesignerhandbags.com

poless.net
pickyourstuffs.com
pickyourhandbags.com
picckshoes.com
phoenix-luxuries.com
paypalbags.com
outlet-tory-burch.org
outletschristianlouboutin.net
okhave.com
oftenbag.com
northface-outletshop.com
nicetradeonline.com
newtoryburchsale.net
newtoryburchoutlet2012.com
myhandbagsusa.com
mxtoryburchoutlet.com
mxtoryburch.com
monclercoatsell.com
michael-kors-purses.com
michaelkorsoutlethandbag.net
michaelkorshandbagsusale.com
michaelkorshandbagsoutletshops.com
michaelkorshandbagsoutletshop.com
michaelkorshandbagsaler.com
michaelkorsbagoutlet.net
meu-shoe.com
luxurybagonsale.com
lovefashiononline.com
louisvuittonsupply.com
longchampbagsonsale.net
korskorsoutletus.com
korsfactoryoutlet.com
korsbagscheap.com
kokoshoe.com
knockofftoryburch.org
knockoffsdeal.com
knockoffbagswholesale.com
join2resell.net
jimmychoosshoe.info
jimmychoosouthafrica.org
jimmyhoodiscount.org
jimmychoobag.net

jimmy-choo8.com
itishandbags.com
inurseshandbags.com
iokbags.com
imitationreplicahandbags.com
i4bag.com
hotcheapsales.com
hktoryburchhongkongstore.com
heelsexy.com
handbags-port.com
handbagsdiscouted.com
handbagscheaplv.com
handbagsale1.com
grossisteprix.com
good-handbags.net
goldroadtrade.com
giftpopo.com
ferragamooutletsale.com
fashiontory.us
fashionhandbagsclearance.com
faketoryburch.org
factorycoachoutletstore.com
facebookoutlets.com
estarnike.com
epopshoe.com
eluxurybagsales.com
edwhole.com
dooneybags.com
dooneyandburke.org
discountvuittonhandbags.com
discount-toryburchstore.com
discounttoryburchflats.net
discount-luxury-sotre.com
discount-high-heel.com
discountchristianlouboutins.us
discount2toryburch.com
designertoryburch.com
designerhandbagscheapest.org
designerhandbagscheapest.net
designerhandbagcheapest.com
designerdressescheap.com
designer-boots.org

designerbagsonsale.org
designerbagsmalltrade888.com
designerbagsmalltrade2012.com
creditbagsstoretrade888.com
cocogc.net
coachspursesforcheap.net
coachspursesforcheap.com
coachoutletfake.com
coachbagssite.com
cnhermesknockoff.com
clothingwebstores.net
christianlouboutinsale--outlet.com
christianlouboutinme.com
christianlouboutinlady.com
chloecn.com
chinawholesalebags.com
chedaf.com
cheapwomenpurses.com
cheaptoryburchs-outlet.com
cheaptoryburchsoutlet.com
cheap-toryburchsonline.net
cheaptoryburchshow.com
cheaptoryburchsale.org
cheaptoryburchhandbagsus.com
cheaptoryburchflatsshop.com
cheaptoryburch-flats.org
cheaptoryburchflat.com
cheaptoryburchbags.org
cheap-tory-burch.com
cheaptoryandburch.com
cheaptb.com
cheapringonsale.com
cheappursesbags.com
cheapmarcjacobshandbag.com
cheap-luxury-store.info
cheapjerseysfreeshipping.us
cheaphandbagswholesaleus.com
cheapdesignerhandbagsa.com
cheapcnbag.com
cheapchanelshop.com
cheapbagswholesaleus.com
cheap-bagsoutlet.com

cheapbagsalers.com
cheap4louisvuittonbags.com
catoryburchshoes.com
canadatoryburchshoes.net
buywomenhandbags.com
buytoryburchshoes.com
buyershopping.com
buydiscounttoryburch.us
burch-outlet.org
burchoutlet.org
bryantshop.com
brandwomenshoes.com
bootshighheels.com
blacklouboutinheels.org
beta2018.com
bestoryburchflats.com
bag-trader.com
bagswebstores.com
bagssale2u.com
bagscheapmallsale.com
bagscentre.org
bagnub.com
amazonpurses.com
aj-wholesale.org
aaanfljersey.com
77bags.com
4namebrandclothing.com
4cheapbrandclothing.com
4cheapbrandclothes.com
4brandnameclothescheap.com
21cnreplicas.com
2012toryburchus.com
2012toryburchsoutlet.com
2012toryburchsale.com
2012toryburchoutletsales.com
2012toryburchoutletsale.com
2012toryburchflats.com
2012toryburcheshops.com
2012toryburcheshop.com
2012toryburch.com
2012coachoutletonline.net
2012christians.org

2011bagscentre.com
200store.com